

**Memorandum**

**To:** Education Task Force Members  
**From:** David J. Myslinski, Director, Education Task Force  
**Re:** ALEC's 2011 States & Nation Policy Summit  
**Date:** October 27, 2011

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The American Legislative Exchange Council (ALEC) will host its 2011 States & Nation Policy Summit November 30 – December 2, at The Westin Kierland Resort & Spa in Scottsdale, Arizona. If you have not yet done so, please make sure to register today, as the cut-off **deadline is November 7.**

The full Education Task Force will meet 2:30 p.m. – 5:30 p.m., Thursday, December 1. In addition to the Task Force Meeting, there will be several education events during the meeting, as listed below. All subcommittees are open to all Task Force members. If you have any questions, concerns, or amendments to any of the proposed language, please attend the subcommittee or contact the sponsor beforehand in order to ensure our limited time for the Task Force meeting is used most efficiently.

If you would like a copy of the Task Force roster, please contact Monica Mastracco at [mmastracco@alec.org](mailto:mmastracco@alec.org).

**Higher Education Subcommittee**

Wednesday, November 30, 2011  
8:00 a.m. – 8:45 a.m.

**K-12 Education Reform Subcommittee**

Wednesday, November 30, 2011  
9:00 a.m. – 11:30 a.m.

**Workshop: *Common Core State Standards Initiative***

Wednesday, November 30, 2011  
1:30 p.m. – 2:45 p.m.

**Plenary Luncheon**

Thursday, December 1, 2011  
12:30 p.m. – 2:15 p.m.

**Education Task Force Meeting**

Thursday, December 1, 2011  
2:30 p.m. – 5:30 p.m.

Please review all agendas, proposed legislation, and Task Force operating procedures before the meetings.

### **Enclosed Materials**

You will find these materials in the following pages:

- Registration and Housing Forms
- Agenda-at-a-Glance
- Tentative Agenda for the Higher Education Subcommittee
- Tentative Agenda for the K–12 Education Reform Subcommittee
- Tentative Agenda for the Education Task Force Meeting
- Draft Meeting Minutes from ALEC’s 38th Annual Meeting
- Proposed Model Legislation:
  - Local Government Transparency Act  
Sponsored by Collin Hitt, Illinois Policy Institute
  - Comprehensive Legislative Package Opposing the Common Core State Standards Initiative  
Sponsored by Jonathan Butcher, Goldwater Institute and Emmett McGroarty, American Principles Project
  - Resolution Opposing Federal Intrusion in State Education Content Standards  
Sponsored by Sen. Rich Crandall, Arizona
  - Amendments to *Founding Principles Act*  
Sponsored by Sen. Don Vaughan, North Carolina
  - Higher Education Capital Projects Transparency Act  
Sponsored by Michael Poliakoff, American Council of Trustees and Alumni
  - Academic Accountability in Higher Education Act  
Sponsored by Michael Poliakoff, American Council of Trustees and Alumni
  - Substantive Transparency in Education Act  
Sponsored by Emmett McGroarty, American Principles Project
- ALEC’s Mission Statement, Scholarship Policy by Meeting, and Task Force Operating Procedures

### **Workshop: Common Core States Standards Initiative**

In order to best prepare for this timely discussion regarding the Common Core State Standards Initiative, please read the following articles to aid in your discernment of the subject.

Articles in Support for the Common Core State Standards Initiative:

- Five Myths About the Common Core State Standards, By Robert Rothman
- FACT SHEET: The Common Core State Standards
- The Wall Street Journal: "The Case for Common Educational Standards", By Jeb Bush and Joel Klein

Articles in Opposition to the Common Core State Standards Initiative:

- Jay P. Greene's Testimony before the US House Subcommittee on Early Education, Elementary, and Secondary Education

- National Review: “Standardizing Mediocrity: Why national standards won't fix American education”, By Lindsey Burke and Jennifer A. Marshall
- Pioneer Institute: “Common Core’s Standards Still Don’t Make the Grade: Why Massachusetts and California Academic Destinies”, By Sandra Stotsky and Ze’ev Wurman

### **Questions?**

I look forward to seeing you in Phoenix! If you have any questions or concerns regarding the meeting, feel free to contact me at [dmyslinski@alec.org](mailto:dmyslinski@alec.org) or (202) 742-8531.

# 2011 ALEC STATES AND NATION POLICY SUMMIT

November 30 – December 2, 2011

The Westin Kierland Hotel  
6902 E. Greenway Parkway • Scottsdale, AZ 85254

STATES  
&  
NATION  
POLICY SUMMIT

PHOENIX, AZ  
NOV. 30 - DEC. 2, 2011

## ATTENDEE REGISTRATION / HOUSING FORM

Early registration deadline: November 7, 2011

Housing cut-off date: November 7, 2011

Online  
www.alec.org

Fax (credit cards only)  
202.331.1344

Phone / Questions  
Registration 202.742.8538 (Mon-Fri, 9am-5:30 pm Eastern)  
Housing 1-866-716-8137 (Available 24/7)

### ATTENDEE INFORMATION

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other \_\_\_\_\_  
Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle Initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_  
Title \_\_\_\_\_  
Organization (required) \_\_\_\_\_  
Mailing Address ☐ Business ☐ Home \_\_\_\_\_  
City \_\_\_\_\_ State/Province \_\_\_\_\_ Country \_\_\_\_\_ ZIP/Postal code \_\_\_\_\_  
Daytime phone \_\_\_\_\_ Fax \_\_\_\_\_ Alternate phone \_\_\_\_\_  
Email (confirmation will be sent by email) \_\_\_\_\_  
Emergency Contact Name \_\_\_\_\_ Daytime Phone \_\_\_\_\_ Evening Phone \_\_\_\_\_  
Dietary Restrictions \_\_\_\_\_  
Spouse / Guest: If registering a spouse or guest, please complete the spouse/guest registration form.

### REGISTRATION INFORMATION

#### Registration Fees

Note: Member fees are subject to verification

|   | Early<br>Until<br>Nov 7 | Onsite<br>Begin<br>Nov 8 | Daily |
|---|-------------------------|--------------------------|-------|
| <input type="checkbox"/> ALEC Legislative Member                            | \$375                   | \$475                    | \$245 |
| <input type="checkbox"/> Legislator / Non-Member                            | \$475                   | \$575                    | \$345 |
| <input type="checkbox"/> ALEC Private Sector Member                         | \$725                   | \$875                    | \$445 |
| <input type="checkbox"/> Private Sector Non-Member                          | \$925                   | \$1100                   | \$545 |
| <input type="checkbox"/> ALEC Non-Profit Member (501(c)(3) status required) | \$525                   | \$625                    | \$345 |
| <input type="checkbox"/> Non-Profit Non-Member (501(c)(3) status required)  | \$675                   | \$825                    | \$445 |
| <input type="checkbox"/> Legislative Staff / Government                     | \$400                   | \$500                    | \$245 |
| <input type="checkbox"/> ALEC Alumni  | \$425                   | \$525                    | \$295 |
| <input type="checkbox"/> ALEC Legacy Member                                 | \$0                     | \$0                      | \$0   |

For Daily Registration, circle which day: Wed Thur Fri

REGISTRATION FEE : \$ \_\_\_\_\_

(Subtract \$50 from your registration fee if you are booking at The Westin Kierland Hotel)

**REGISTRATION CONFIRMATION INFORMATION** Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed within 72 hours of receipt of payment.

**Note:** Registration forms with enclosed payments must be received by November 7, 2011 to be eligible for early bird registration rates. Forms and/or payments received after November 7, 2011 will be subject to on-site registration rates.

**DISCOUNT** You are eligible for \$50 discount on registration fee if you are registering and booking accommodations in ALEC's room block at The Westin Kierland Hotel before November 7, 2011. Hotel reservations will be verified for those who receive discounted rate. If you receive a discount and later cancel your Westin room reservation, you will be charged (or you will be invoiced) for an additional \$50 for your registration fee after the meeting.

#### METHOD OF REGISTRATION PAYMENT

**Credit Card:** Credit cards will be charged immediately.

☐ Amer Express ☐ Visa ☐ MasterCard

Card # \_\_\_\_\_

Cardholder (please print) \_\_\_\_\_

Exp Date (mm/yy) \_\_\_\_/\_\_\_\_ Signature \_\_\_\_\_

**REGISTRATION CANCELLATION / REFUND INFORMATION** Registrations cancelled prior to 5:00 pm Eastern November 7, 2011 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5:00 pm Eastern November 7, 2011. Registration fees may be transferred from one registrant to another.

All refund requests must be made in writing and sent via email to meetings@alec.org or fax to 202-331-1344.

### HOUSING

### RESERVATION CUTOFF FOR ALEC DISCOUNTED RATE IS NOVEMBER 7, 2011

**\*\*Save \$50 on registration by booking your hotel room in ALEC's room block at The Westin Kierland Hotel\*\***

☐ I do not require a reservation at this time.

Arrival Date \_\_\_\_\_ Departure Date \_\_\_\_\_

☐ Sharing room with \_\_\_\_\_

#### Room type

- ☐ Single (1 Adult) \$ 208  
☐ Double (2 Adults) \$ 208  
☐ Triple (3 Adults) \$ 258  
☐ Quad (4 Adults) \$ 308

**Suites and upgraded accommodations** are available upon request. Please call 1-866-716-8137 for additional information.

#### Special requests

- ☐ ADA room required:  
\_\_\_\_ Audio \_\_\_\_ Visual \_\_\_\_ Mobile  
☐ Rollaway / crib: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

#### METHOD OF HOUSING PAYMENT

☐ Please use the same method of payment as above.

**Credit Card:** Credit Cards will be used to guarantee the reservation.

☐ Amer Express ☐ Visa ☐ MasterCard ☐ Discover

Card # \_\_\_\_\_

Cardholder (please print) \_\_\_\_\_

Exp Date (mm/yy) \_\_\_\_/\_\_\_\_ Signature \_\_\_\_\_

\* All rates DO NOT include sales tax 12.27 % (subject to change)

**Note:** Cutoff for reservations at the ALEC rate is November 7, 2011. After November 7, 2011, every effort will be made to accommodate new reservations, based on availability and rate.

#### HOUSING CONFIRMATION INFORMATION

Online reservations will receive immediate email confirmation. Reservations received by form will be confirmed via email within 72 hours of receipt.

#### HOUSING CANCELLATION / REFUND INFORMATION

Credit cards will be charged one night room and tax in the event of a no show or if cancellation occurs within 72 hours prior to arrival. Please obtain a cancellation number when your reservation is cancelled.

# 2011 ALEC STATES AND NATION POLICY SUMMIT

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6902 E. Greenway Parkway • Scottsdale, AZ 85254


STATES  
&  
NATION  
POLICY SUMMIT

PHOENIX, AZ  
Nov. 30 - Dec. 2, 2011

## SPOUSE/GUEST REGISTRATION FORM

 **Online**  
www.alec.org

 **Fax (credit cards only)**  
202.331.1344

 **Phone / Questions** • Mon-Fri, 9am-5:30 pm Eastern  
Registration: 202.742.8538

### ATTENDEE INFORMATION IS REQUIRED TO REGISTER A SPOUSE OR GUEST

Last Name \_\_\_\_\_ First Name \_\_\_\_\_  
Organization \_\_\_\_\_  
Daytime phone \_\_\_\_\_  
Email (Confirmation will be sent by email) \_\_\_\_\_

### SPOUSE / GUEST REGISTRATION

#### SPOUSE / GUEST REGISTRATION GUIDELINES

1. Spouse / guest registration is meant to accommodate legal spouse and immediate family members.
2. Attendees from the same organization must register independently. No exception will be made.
3. Spouse / guest designation will be clearly visible on name badge.

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_  
Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_  
Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_

#### SPOUSE / GUEST REGISTRATION FEES

**Number of  
Spouse/Guest(s)**

**Fee**

**TOTAL**

☐ Spouse / Guest *please note name(s) above* \_\_\_\_\_ \$ 150 \$ \_\_\_\_\_

#### METHOD OF SPOUSE / GUEST REGISTRATION PAYMENT

**Credit Card:** Credit cards will be charged immediately. Please fax to the above number for processing.

☐ Amer Express Card # \_\_\_\_\_  
☐ Visa Cardholder (please print) \_\_\_\_\_  
☐ MasterCard Exp Date (mm/yy) \_\_\_\_/\_\_\_\_ Signature \_\_\_\_\_

#### REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed within 72 hours of receipt of payment.

#### REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5pm Eastern November 7, 2011 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5pm Eastern November 7, 2011.

# STATES & NATION POLICY SUMMIT

PHOENIX, AZ  
NOV. 30 - DEC. 2, 2011

Tuesday, November 29th

## **Joint Board of Directors Meetings**

[Registration](#)

ALEC Joint Board Reception and Dinner

**7:30 am – 5:00 pm**

[12:00 pm – 5:00 pm](#)

6:00 pm – 9:30 pm

Wednesday, November 30th

[Registration](#)

Task Force Subcommittee Meetings

[Exhibits](#)

State Chairs Meeting

New Legislator Orientation

## **Opening Plenary Luncheon**

Task Force Chairs Meeting

## **Workshops**

Welcome Reception

[7:30 am – 5:00 pm](#)

8:00 am – 11:30 am

[9:00 am – 5:00 pm](#)

9:00 am – 11:00 am

10:15 am – 11:15 am

**11:30 am – 1:15 pm**

1:30 pm – 2:45 pm

1:30 pm – 4:15 pm

6:30 pm – 8:30 pm

Thursday, December 1st

[Registration](#)

## **Plenary Breakfast**

[Exhibits](#)

Workshops

## **Plenary Luncheon**

Task Force Meeting:

- Civil Justice
- Commerce, Insurance, and Economic Development
- Education
- Telecommunications and Information Technology

[7:30 am – 5:00 pm](#)

**8:00 am – 9:15 am**

[9:00 am – 5:00 pm](#)

9:30 am – 12:15 pm

**12:30 pm – 2:15 pm**

2:30 pm – 5:30pm

National Chairman's Reception, *by Invitation Only*

Gala Holiday Reception

Hospitality Suite

5:30 pm – 6:30 pm

6:30 pm – 8:30 pm

9:00 pm – 11:00 pm

**Friday, December 2nd**

Registration

7:30 am – 2:30 pm

**Plenary Breakfast**

**8:00 am – 9:15 am**

Exhibits

9:00 am – 5:00 pm

Workshops

9:30 am – 12:15 pm

**Plenary Luncheon**

**12:30 pm – 1:45 pm**

Task Force Meetings:

2:00 pm – 5:00 pm

- Energy, Environment and Agriculture
- Health and Human Services
- International Relations
- Public Safety and Elections
- Tax and Fiscal Policy

**State Delegation Night**

**Beginning at 6:30 pm**



**Higher Education Subcommittee Meeting**

ALEC's 2011 States and Nation Policy Summit | Wednesday, November 30, 2011  
8:00 a.m. – 8:45 a.m.

**Agenda**

- 8:00 a.m.      Welcome and Introductions**
- 8:05 a.m.      Discussion and Voting: Higher Education Capital Projects Transparency Act**  
Sponsored by Michael Poliakoff, American Council of Trustees and Alumni
- 8:25 a.m.      Discussion and Voting: Academic Accountability in Higher Education Act**  
Sponsored by Michael Poliakoff, American Council of Trustees and Alumni
- 8:45 a.m.      Good of the Order/Adjournment**





**K-12 Education Reform Subcommittee Meeting**

ALEC's 2011 States and Nation Policy Summit Wednesday, November 30, 2011

9:00 a.m. – 11:30 a.m.

**Agenda**

- 9:00 a.m. Welcome and Introductions**
- 9:05 a.m. Discussion and Voting: Local Government Transparency Act**  
Sponsored by Collin Hitt, Illinois Policy Institute
- 9:35 a.m. Discussion and Voting: Comprehensive Legislative Package Opposing the Common Core State Standards Initiative**  
Sponsored by Jonathan Butcher, Goldwater Institute and Emmett McGroarty, American Principles Project
- 10:05 a.m. Discussion and Voting: Resolution Opposing Federal Intrusion in State Education Content Standards**  
Sponsored by Sen. Rich Crandall, Arizona
- 10:35 a.m. Discussion and Voting: Amendments to *Founding Principles Act***  
Sponsored by Sen. Don Vaughan, North Carolina
- 11:05 a.m. Discussion and Voting: Substantive Transparency in Education Act**  
Sponsored by Emmett McGroarty, American Principles Project
- 11:30 a.m. Good of the Order/Adjournment**



### **Education Task Force Meeting**

ALEC's 2011 States & Nation Policy Summit | Friday, December 1, 2011

2:30 p.m. – 5:30 p.m.

#### **Agenda**

- 2:30 p.m. Welcome and Introductions**  
Rep. David Casas, Georgia, Public Sector Task Force Chair  
Ms. Mickey Revenaugh, Connections Academy, Private Sector Task Force Chair
- 2:35 p.m. New Members: Imagine Learning, Education Management Corporation**
- 2:40 p.m. Adopt Meeting Minutes**
- 2:45 p.m. Discussion and Voting: Local Government Transparency Act**  
Sponsored by Collin Hitt, Illinois Policy Institute  
Moderated by Mickey Revenaugh, Connections Academy, Private Sector Task Force Chair
- 3:05 p.m. Presentation: Paul Rogers, Imagine Learning**
- 3:20 p.m. Discussion and Voting: Comprehensive Legislative Package Opposing the Common Core State Standards Initiative**  
Sponsored by Jonathan Butcher, Goldwater Institute and Emmett McGroarty, American Principles Project  
Moderated by Mickey Revenaugh, Connections Academy, Private Sector Task Force Chair
- 3:40 p.m. Discussion and Voting: Resolution Opposing Federal Intrusion in State Education Content Standards**  
Sponsored by Sen. Rich Crandall, Arizona  
Moderated by Rep. David Casas, Georgia, Public Sector Task Force Chair
- 4:00 p.m. Presentation: Cathy Caponi, EDMC**
- 4:15 p.m. Discussion and Voting: Amendments to *Founding Principles Act***  
Sponsored by Sen. Don Vaughan, North Carolina  
Moderated by Rep. David Casas, Georgia, Public Sector Task Force Chair
- 4:35 p.m. Discussion and Voting: Higher Education Capital Projects Transparency Act**  
Sponsored by Michael Poliakoff, American Council of Trustees and Alumni  
Moderated by Mickey Revenaugh, Connections Academy, Private Sector Task Force Chair
- 4:55 p.m. Discussion and Voting: Academic Accountability in Higher Education Act**  
Sponsored by Michael Poliakoff, American Council of Trustees and Alumni  
Moderated by Mickey Revenaugh, Connections Academy, Private Sector Task Force Chair
- 5:15 p.m. Discussion and Voting: Substantive Transparency in Education Act**  
Sponsored by Emmett McGroarty, American Principles Project  
Moderated by Mickey Revenaugh, Connections Academy, Private Sector Task Force Chair
- 5:30 p.m. Good of the Order/Adjournment**



### **Education Task Force Meeting Minutes**

ALEC's 2011 Annual Meeting | Friday, August 5, 2011

2:30 p.m. – 5:30 p.m.

The Education Task Force meeting began at 2:30 p.m.

The meeting began with introductions by Mickey Revenaugh, Private Sector Task Force Chair, and Georgia State Rep. David Casas, Public Sector Task Force Chair, followed by the introduction of new Education Task Force members, the U.S. Chamber of Commerce, the Oklahoma Council for Public Affairs, Dell Inc., the Foundation for Educational Excellence and the American Principles Project. The Education Task Force members approved the Task Force Meeting Minutes from the 2011 Spring Task Force Summit and discussed a review of existing model legislation.

The Education Task Force saw two presentations, including “National Board’s Turnaround Initiative to Grow Great Schools” with Gov. Bob Wise, Chair, National Board for Professional Teaching Standards (NBPTS) and Rita Pin Ahrens, Director of Policy, NBPTS, and “Disrupting Class” with Michael Horn, Innosight Institute.

The first model bill the Education Task Force members considered was the Amendments to *Higher Education Accountability Act*, sponsored by Dr. Harry Stille of Higher Education Research/Policy Center. After discussion, the legislation passed both the public sector with 28 Yeas, 1 Nays, and the private sector with 12 Yeas, and 0 Nays. The Amendments to *Higher Education Accountability Act* was approved.

The second bill the Education Task Force members considered was the *Indiana Education Reform Package Act* sponsored by Representative Cindy Noe of Indiana. After discussion, the legislation passed both the public sector with 29 Yeas, 0 Nays, and the private sector with 12 Yeas, and 0 Nays. The *Indiana Education Reform Package Act* was approved.

The third bill the Education Task Force members considered was the *Resolution Adopting the 10 elements of High-Quality Digital Learning for K-12* sponsored by Senator Rich Crandall of Arizona. After discussion, the resolution passed both the public sector with 15 Yeas, 5 Nays, and the private sector with 14 Yeas, and 0 Nays. The *Resolution Adopting the 10 elements of High-Quality Digital Learning for K-12* was approved.

The fourth bill the Education Task Force members considered was the *Charter School Growth with Quality Act* sponsored by David Hansen of the National Association of Charter School Authorizers. After discussion, the legislation passed both the public sector with 13 Yeas, 2 Nays, and the private sector with 12 Yeas and 0 Nays. The *Charter School Growth with Quality Act* was approved.

The fifth bill the Education Task Force members considered was the *Taxpayers’ Savings Grants Act* sponsored by Marc Oestreich of the Heartland Institute. After discussion, the

legislation passed both the public sector with 12 Yeas, 2 Nays, and the private sector with 12 Yeas, and 0 Nays. The *Taxpayers' Savings Grants Act* was approved.

The final bill the Education Task Force members considered was the *Free Enterprise Education Act* sponsored by Roberta Phillips of the U.S. Chamber of Commerce. After discussion, the legislation passed both the public sector with 7 Yeas, 2 Nays and the private sector with 7 Yeas and 4 Nays. The *Free Enterprise Education Act* was approved.

The meeting adjourned at 5:30 p.m.

# **Local Government Transparency Act**

## ***Summary***

This Act requires that a unit of local government or school district having an annual budget equal to, or more than, \$500,000 must maintain and post on its website for the current calendar or fiscal year, as the case may be, and the 4 years immediately before that calendar or fiscal year the following information: (i) contact information for elected and appointed officials, (ii) notice of regular and special meetings, (iii) procedures for requesting information from the unit of local government or school district, (iv) annual budget, (v) ordinances under which the unit of local government or school district operates, (vi) procedures to apply for building permits and zoning variances, (vii) financial reports and audits, (viii) information concerning employee compensation, (ix) contracts with lobbying firms, (x) taxes and fees imposed by the unit of local government or school district, (xi) rules governing the award of contracts, (xii) bids and contracts worth \$25,000 or more, (xiii) campaign contributions made by a vendor, and (xiv) searchable expenditure and revenue web site database. This Act also provides that any citizen who is a resident of the unit of local government or school district may bring a mandamus or injunction action to compel the unit of local government or school district to comply with the Internet posting requirements. Limits home rule powers.

**{Title, enacting clause, etc.}**

Be it enacted by the People of the State of **{insert state}**:

## **Section 1.** Internet posting requirements.

(A) A unit of local government or school district must post on its website for the current calendar or fiscal year, as the case may be, and the 4 years immediately before that calendar or fiscal year the following information:

- (1) The contact information, including the phone number and e-mail address, for all elected and appointed officials, the Freedom of Information Officer, the chief administrator, and the head administrator for each department.
- (2) The agenda of all regular meetings shall be posted at least seventy-two hours before a meeting. The agenda of all special or emergency meetings shall be posted at least twenty-four hours before a meeting. The posting shall indicate if the agendas are in draft form. The minutes from any regular or special meeting shall be posted within seventy-two hours of approval.
- (3) In accordance with the Freedom of Information Act, the procedure for requesting information from the unit of local government or school district.
- (4) The annual budget ordinances and appropriation ordinances.

(5) The ordinances under which the unit of local government or school district operates as of the effective date of this Act and all such ordinances thereafter adopted.

(6) The procedures required to apply for building permits and zoning variances.

(7) Any budget, financial audit, audit schedule, or special project report, including without limitation the comprehensive annual financial report, performance audits, and reports required in municipal code of **{insert state}**.

(a) All reports should include the following,

(i) All actual revenues and expenditures for at least the 3 previous fiscal years. Any report focusing on any subset of Total should specify that only partial amounts are shown and identify the Total amount and the nature of items not included in the report.

(ii) Revenues should be broken out by source, including the broad categories of Local, State and Federal tax dollars.

(iii) Expenditures should be separated into current operating, capital and debt service.

(iv) Expenditure summaries for local units of government should reflect the per-resident calculation for comparison to other governmental bodies. For schools, a per-pupil calculation should be made based on full time equivalent enrollment.

(8) A detailed list of the total compensation paid to each employee including wages, salary, overtime, and benefits, including health, dental, life, and pension.

(9) Contracts with lobbying firms hired by the unit of local government or school district. The name and amount of money paid to lobbying associations by the unit of local government or school district.

(10) A detailed list of the taxes and fees imposed by the unit of local government or school district.

(11) The ordinances and rules governing the award of all bids and contracts for purchase in the amount of \$25,000 or more.

(12) All bids and contracts for purchase in the amount of \$25,000 or more.

(13) All campaign contributions made by a vendor to an official of the unit of local government or school district.

(14) Creation of searchable expenditure and revenue web site databases.

(a) No later than one year from the enactment of this legislation, each unit of local government or school district shall develop, maintain, and make publicly available a single, searchable expenditure and revenue web site database that allows the public at no cost to review information concerning moneys collected and expended by the unit of local government or school district.

(b)

(i) The web site database shall include the following data concerning all expenditures made by the unit of local government or school district:

(A) The name and principal location or address of the entity receiving moneys, except that information concerning a payment to an employee of the unit of local government or school district shall identify the individual employee by name and business address or location only;

(B) The amount of expended moneys;

(C) The funding source of the expended moneys;

(D) The date of the expenditure;

(E) The name of the budget program, activity, or category supporting the expenditure;

(F) A description of the purpose for the expenditure; and

(G) To the extent possible, a unique identifier for each expenditure.

(ii) The expenditure data shall be provided in an open structured data format that:

(A) May be downloaded by the user; and

(B) Allows the user to systematically sort, search and access all data.

(iii) The web site database shall contain only information that is a public record or that is not confidential or otherwise protected from public disclosure pursuant to state or federal law.

(c) The unit of local government or school district shall:

- (i) Update the financial data contained on the web site database at least monthly;
- (ii) Archive the financial data, which shall remain accessible and searchable on the web site database;
- (iii) Make the web site database easily accessible from the main page of the unit of local government or school district provider's web site; and
- (iv) Create and make easily accessible an automated Rich Site Summary (RSS) feed to which users of the web site database may subscribe for notification of updates to the web site database.

## **Section 2.**

(A) The information required to be posted under Section 1 must be easily accessible from the unit of local government's or school district's home page and searchable.

(B) The postings required by this act are in addition to any other posting requirements required by law or ordinance.

(C) If a unit of local government or school district fails to comply with this Section, then any citizen who is a resident of the unit of local government or school district may file suit in the circuit court for the county where the unit of local government or school district is located. The citizen may bring a mandamus or injunction action to compel the unit of local government or school district to comply with the requirements set forth in subsection (A). The court may impose any penalty or other sanction as it deems appropriate. The court, in its discretion, may also award to the citizen bringing the action reasonable attorneys' fees and costs.

(D) No home rule unit may adopt posting requirements that are less restrictive than this Section.

## **Section 3.**

Exempt mandate. No reimbursement by the State is required for the implementation of any mandate created by this Act.

## **Section 4. {Severability clause}**

## **Section 5. {Repealer clause}**



**Section 6. {Effective Date}**

*Adopted by the Tax and Fiscal Policy Task Force at the Annual Meeting, August 4, 2011.*

## **Comprehensive Legislative Package Opposing the Common Core State Standards Initiative**

**WHEREAS**, high student performance and closing the achievement gap is fundamentally linked to an overall reform of our public education system through a strong system of accountability and transparency built on state standards; and

**WHEREAS**, the responsibility for the education of each child of this nation primarily lies with parents, supported by locally elected school boards and state governments; and

**WHEREAS**, in 2009 and 2010, the State was offered the chance to compete for education funding through the “Race to the Top” program created by the U. S. Department of Education (“ED”); and

**WHEREAS**, the only way to achieve a score in the competition sufficient to qualify for funding was to agree to “participation in a consortium of States that ... [i]s working toward jointly developing and adopting a common set of K-12 standards...”; and

**WHEREAS**, the only such “common set of K-12 standards” existent at that time, or since, is known as the Common Core State Standards Initiative (“CCSSI”) and was developed without a grant of authority from any state; and

**WHEREAS**, the CCSSI standards were released in June 2010, and to meet the ED “Race to the Top” requirements the State had only 60 days to evaluate them and agree to adopt them; and

**WHEREAS**, local education officials, school leaders, teachers, and parents were not included in the discussion, evaluation and preparation of the CCSSI standards that would affect students in this state; and

**WHEREAS**, citizens had no opportunity to review and comment on the final version of CCSSI standards, and states were not offered an option to modify those standards before their adoption; and

**WHEREAS**, no empirical evidence indicates that centralized education standards result in higher student achievement; and

**WHEREAS**, adoption of the CCSSI standards would force several states to lower the rigor and quality of their standards; and

**WHEREAS**, the National Assessment of Educational Progress national test already exists and allows comparisons of academic achievement to be made across the states, without the necessity of imposing national standards, curricula, or assessments; and

**WHEREAS**, imposing a set of national standards is likely to lead to the imposition of a national curriculum and national assessment upon the various states, in violation of the

General Education Provisions Act, the Elementary and Secondary Education Act; and the Department of Education Organization Act and

**WHEREAS**, claims from the Common Core Initiative that the CCSSI standards will not dictate what teachers teach in the classroom are refuted by language in the standards as written; and

**WHEREAS**, common standards will lessen the ability for local stakeholders to innovate and continue to make improvements over time; and

**WHEREAS**, when no less than 22 states face budget shortfalls and Race to the Top funding for states is limited, \$350 million for consortia to develop new assessments aligned with the CCSSI standards will not cover the entire cost of overhauling state accountability systems, which includes implementation of standards and testing and associated professional development and curriculum restructuring; and

**WHEREAS**, special interest groups can manipulate the vulnerability of the centralized decision making that governs common standards and lower the standards' rigor and quality over time to suit their priorities;

**Option A (Resolution):**

**NOW, THEREFORE BE IT RESOLVED THAT** the {legislative body} of the state of {name of state} rejects any policies and procedures that would be incumbent on the state based on the Common Core State Standards Initiative.

**Option B (Statute):**

The State Board of Education may not adopt, and the State Department of Education may not implement, the Common Core State Standards developed by the Common Core State Standards Initiative. Any actions taken to adopt or implement the Common Core State Standards as of the effective date of this section are void ab initio. Neither this nor any other statewide education standards may be adopted or implemented without the approval of the Legislature.

## **Resolution Opposing Federal Intrusion in State Education Content Standards**

**WHEREAS**, the mission of the American Legislative Exchange Council (“ALEC”) is, in part, to advance Jeffersonian principles, including respect for federalism and the prerogatives of the states; and

**WHEREAS**, education is inherently a state issue since those closest to students—local schools, districts and states—have always been best equipped to make appropriate educational decisions, including choosing academic content standards; and

**WHEREAS**, states began working together over a decade ago to identify the knowledge and skills in the foundational subjects of English language arts and mathematics necessary to succeed in college and careers after high school; and

**WHEREAS**, states had been graduating students from high school who were underprepared for the challenges of the real world and an increasingly competitive global economy where education and innovation are key drivers; and

**WHEREAS**, states, working with their own higher education and business communities to set high standards for high school completion, found those standards were becoming increasingly common across state lines; and

**WHEREAS**, 48 states agreed in 2009 to develop a set of internally benchmarked K–12 educational standards known as the Common Core State Standards in English Language Arts and Mathematics that will better prepare students for success in college and careers by giving the academic foundation they need in the core subjects of English and mathematics; and

**WHEREAS**, this state-led collaborative effort occurred without federal funding, influence or input, utilizing the best standards of the states themselves and those of other countries—producing standards that the Fordham Foundation called “clearly superior to those in place in the vast majority of states;” and

**WHEREAS**, More than 40 states have since, individually and on their own, chosen to adopt those high standards as their states’ K–12 standards in English and mathematics, each state following its own specific constitutional processes, requirements and prerogatives; and

**WHEREAS**, It is the responsibility of states, districts and schools to implement their chosen standards. Implementation includes, but is not limited to, choosing curriculum, textbooks and other classroom materials, assessments and professional development. These choices are solely the prerogative of states, districts and schools; and

**WHEREAS**, Any federal government action, through administrative fiat or congressional act, to dictate or prescribe a particular set of academic content standards—

or to dictate how such standards are implemented—is an intrusion into the states’ long-established rights and responsibilities to deliver K–12 education which violates fundamental principles of federalism; therefore

**BE IT RESOLVED**, that ALEC vigorously opposes any effort by the federal government to deny the authority of any state to set its own education academic content standards or to attempt to overturn decisions made duly by a state regarding any education standards deemed by the constitutionally-designated authorities in that state to be in the best interest of that state’s children.

# **The Founding Philosophy and Principles Act**

## ***Summary***

Whereas, the survival of the Republic requires that our nation's children, the future guardians of its heritage and participants in its governance, have a clear understanding of the Founding Philosophy and the Founding Principles of our government for a free people, which are found in the Declaration of Independence, the United States Constitution, the Federalist Papers and the writings of the Founders, and an understanding of their preservation; Now, therefore, The General Assembly of [Insert State] enacts:

## ***Model Legislation***

**Section 1.** The act shall be known as “The Founding Philosophy and Principles Act.”

## **Section 2. {Civic Literacy}**

(A) Local boards of education shall require during the high school years the teaching of a semester course that focuses on the following:

(1) America's Founding Philosophy, to include at least the following:

- (a) The Creator-endowed inalienable rights of the people.
- (b) The purpose of government is to protect the inalienable rights of the people and to protect people from violence and fraud.
- (c) Structure of government, separation of powers, checks and balances.
- (d) Rule of law with frequent and free elections in a representative government.

(2) America's Founding Principles to include at the least the following:

- (a) Federalism, government as close to the people as possible.
- (b) Bill of Rights guaranteed freedoms of speech, press, religion, and peaceful assembly.
- (c) Private property rights and freedom of individual enterprise.

(d) Innocent of any crime until proven guilty, with rights of habeas corpus, no unreasonable searches, no cruel or unreasonable punishment, and the right to a speedy trial by a jury of peers.

(e) A virtuous and moral people, educated in the philosophy and principles of government for a free people.

(f) Constitutional limitations on government power to tax and spend and prompt payment of public debt.

(g) Money with intrinsic value.

(h) Right of people to keep and bear arms, strong defense capability, supremacy of civil authority over military.

(i) Peace, commerce and honest friendship with all nations, entangling alliances with none.

(j) Eternal vigilance by “We the People.”

(B) A passing grade in the course shall be required for graduation from high school.

(C) The State Board of Education shall require that any high school level curriculum-based tests developed and administered statewide beginning with the 2014-2015 academic year include questions related to the philosophical foundation of our form of government and the principles underlying the Declaration of Independence, the United States Constitution and the most important of the Federalist Papers.

(D) The Department of Public Instruction and the local boards of education, as appropriate, shall provide or cause to be provided curriculum content for the semester course required in subdivision (1) of this subsection and the teacher training to ensure that the intent and provisions of this subsection are carried out.

(E) The Department of Public Instruction shall submit a biennial report by October 15 of each odd-numbered year to the Joint Legislative Education Oversight Committee covering the implementation of this subsection.

### **Section 3. {Severability clause}**

### **Section 4. {Repealer clause}**

**Section 5. {Effective date.}** This act is effective when it becomes law and applies beginning with 2014-2015 school year.

# **Higher Education Capital Projects Transparency Act**

## ***Summary***

The Higher Education Capital Projects Transparency Act requires a public institution of higher education to develop and promulgate procedures for maximum utilization of existing facilities, to make data on the average weekly usage of classrooms and laboratories available on its website in a format clearly comprehensible to the public, and to hold public discussion of each proposed capital construction project exceeding \$10,000,000 in total cost, including, but not limited to, evaluation of utilization of existing campus instructional buildings for a period not less than the three years preceding the construction proposal.

## ***Model Legislation***

### **Section 1. {Building Utilization Data.}**

(A) Each institution of public higher education, shall post on its website annual data on the utilization of classroom and laboratory facilities during regular academic terms.

(B) Such data will include, but not be limited to:

- (1) average weekly number of hours of instructional usage of all campus classrooms
- (2) average number of hours of instructional usage of all campus classrooms, reported by day of the week and time of day
- (3) average weekly hours of usage for instruction of all campus laboratories
- (4) average number of hours of instructional usage of all campus laboratories, reported by day of the week and time of day
- (5) average percentage of seats filled in all classes taught in campus classrooms
- (6) average percentage of laboratory stations used in campus laboratory sections

### **Section 2. {Public Discussion of Proposed Capital Projects.}**

(A) For all proposed campus capital construction projects exceeding \$10,000,000 in total cost, the governing board of a public university shall hold public discussion either at a regular meeting of its governing board or in a specially-convened public meeting. Such discussion shall proceed irrespective of the source of funding.



(B) Public discussion of proposed campus capital construction projects exceeding \$10,000,000 will include, but not be limited to:

- (1) Review of utilization of existing campus instructional buildings over a period not less than the three years preceding the construction proposal.
- (2) Review of projected maintenance costs for the proposed building.
- (3) Funding sources for the proposed building.

### **Section 3. {Reporting Requirements.}**

(A) Not later than January 1 of each odd-numbered year, each institution of higher education shall submit a written report regarding the institution's compliance with this section to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each legislative standing committee with primary jurisdiction over higher education.

(B) As applicable, the [state] Coordinating Board may adopt rules necessary to administer this section.

### **Section 4. {Severability clause}**

### **Section 5. {Repealer clause}**

### **Section 6. {Effective date}**

Drafting Note: The requirement to develop procedures for maximum utilization of existing facilities is modeled after Utah State Code Title 53B, Chapter 6, Section 101.

# **Academic Accountability in Higher Education Act**

## ***Summary***

The Academic Accountability in Higher Education Act requires all four-year institution of higher education that receive state funding, including, but not limited to funding for operating expenses, student financial aid, or capital projects to assess annually student learning gains in core collegiate skills and to make the results of this and related academic assessments prominently available on its website.

## ***Model Legislation***

### **Section 1. {Annual Assessment of Core Collegiate Skills}**

(A) Each institution of public higher education or private institution that receives state funding for student financial aid and/or capital building projects, shall annually assess the level of student learning gains in core collegiate skills.

(B) Institutions will assess core collegiate skills with their choice of one or more of the three standardized, nationally-normed instruments now widely in use. These are Collegiate Learning Assessment, administered by the Council on Aid to Education; the Collegiate Assessment of Academic Proficiency, administered by ACT, Inc.; the Proficiency Profile, administered by Educational Testing Services, Inc.

(C) Institutions have the option to choose a longitudinal assessment system to follow a group of students from freshman through senior status or test randomly selected cohorts of students of statistically meaningful size, in accordance with guidance from the testing companies.

(D) Institutions have the option to choose the subject modules appropriate for academic goals, except that all institutions must administer as part of general education assessment, value-added assessment of writing skills.

(E) Institutions will be responsible for appropriate administration of the assessment, including, but not limited to, ensuring that an appropriate number of students take the assessment and provide valid results.

### **Section 2. {Public Disclosure of Assessment Results}**

(A) Each institution of public higher education or private institution that receives state funding for student financial aid and/or capital building projects, shall report the following results for student learning gains in core collegiate skills annually on its website:

- (1) Average freshman score on an assessment instrument testing core collegiate skills.
  - (2) Average rising junior or senior score on the same assessment instrument for core collegiate skills used to test the freshman cohort.
  - (3) Comparison of the student learning gains in core collegiate skills with the predicted learning gains of students with similar academic profile.
- (B) Each institution of public higher education or private institution that receives state funding for student financial aid and/or capital building projects, shall report annually on its website the number of students who took professional licensure examinations and, when more than ten students received scores for an examination, the percentage of students who passed these examinations, along with the average score received.

**Section 3. {Severability clause}**

**Section 4. {Repealer clause}**

**Section 5. {Effective date}**

# **Substantive Transparency in Education Act**

## ***Summary***

The Substantive Transparency in Education Act requires each public school to make available to parents all current textbooks, curricula, instructional materials, and instructional programs for inspection by any parent or guardian of a child enrolled in that school.

## ***Model Legislation***

**Section 1. {Definitions.}** For the purposes of this Act:

(A) “Department” means the Department of Education.

(B) “Product” means an original, updated, or revised textbook, curriculum, instructional material, or instructional program.

## **Section 2.**

A school of this State shall keep during regular business hours a set of products available in print for inspection for any parent or guardian of a child enrolled in that school. With respect to any digital product, a school shall instruct parents or guardians of children enrolled in the school how to access these materials and, if necessary, shall make a school computer available to parents or guardians for that purpose during regular business hours.

## **Section 3. {Severability clause.}**

## **Section 4. {Repealer clause.}**

**Section 5. {Effective date.}** This Act takes effect immediately.



## **Mission Statement**

The American Legislative Exchange Council's mission is...

To advance the Jeffersonian Principles of free markets, limited government, federalism, and individual liberty through a nonpartisan public-private partnership among America's state legislators, concerned members of the private sector, the federal government, and the general public.

To promote these principles by developing policies that ensure the powers of government are derived from, and assigned to, first the People, then the States, and finally the Federal Government.

To enlist state legislators from all parties and members of the private sector who share ALEC's mission.

To conduct a policy making program that unites members of the public and private sector in a dynamic partnership to support research, policy development, and dissemination activities.

To prepare the next generation of political leadership through educational programs that promote the principles of Jeffersonian democracy, which are necessary for a free society.

## **SCHOLARSHIP POLICY BY MEETING**

### ***ALEC Spring Task Force Summit:***

1. ***Spring Task Force Summit Reimbursement Form:*** ALEC Task Force Members are reimbursed by ALEC up to \$350.00 for travel expenses. Receipts must be forwarded to the ALEC Policy Coordinator and approved by the Director of Policy.
2. ALEC Task Force Members' room & tax fees for up to a two-night stay at the host hotel are covered by ALEC.
3. Registration fees are not covered; however, Task Force Members may submit registration expenses for payment from their state scholarship account upon approval of the State Chair.
4. *Official Alternate Task Force Members* (chosen by the State Chair and whose names are given to ALEC more than 35 days prior to the meeting to serve in place of a Task Force Member who cannot attend) are reimbursed in the same manner as Task Force Members.
5. ***State Scholarship Reimbursement Form:*** Any fees above the set limit, or expenses other than travel and room expenses can be submitted by Task Force Members for payment from their state scholarship account upon the approval of the State Chair. Receipts must be submitted to the State Chair, who will submit the signed form to the Director of Membership.
6. *Non-Task Force Members* can be reimbursed out of the state scholarship fund upon State Chair approval. Receipts must be submitted to the State Chair, who will submit the appropriate signed form to the Director of Membership.

### ***ALEC Annual Meeting:***

***State Scholarship Reimbursement Form:*** State scholarship funds are available for reimbursement by approval of your ALEC State Chair. Expenses are reimbursed after the conference, and may cover the cost of travel, room & tax, and registration. Receipts are to be submitted to the State Chair, who will then submit the signed form to the Director of Membership.

### ***ALEC States & Nation Policy Summit:***

1. ***States & Nation Policy Summit Reimbursement Form:*** ALEC offers two scholarships per state to cover the cost of travel, room & tax, and registration not to exceed \$1,000.00 per person for a total of \$2,000.00 per state. ALEC scholarship recipients must be named by the ALEC State Chair. Expenses are submitted to the State Chair and reimbursed after the conference. The State Chair submits the signed form to the Director of Membership.
2. ***State Scholarship Reimbursement Form:*** Any other fees or payments must come out of the state scholarship account, with the approval of the State Chair. Receipts must be submitted to the State Chair, who submits the signed form to the Director of Membership.

### ***ALEC Academies:***

***Academy Reimbursement Form:*** Attendees of ALEC Academies are reimbursed by the Task Force Committee hosting the Academy. Attendees will receive a form at the Academy, and will be reimbursed up to \$500.00 for travel, and room & tax fees for a two-night stay by ALEC. Receipts must be forwarded to the appropriate Task Force Director and approved by the Director of Policy.



## **American Legislative Exchange Council TASK FORCE OPERATING PROCEDURES**

### ***I. MISSION OF TASK FORCES***

Assume the primary responsibility for identifying critical issues, developing ALEC policy, and sponsoring educational activities which advance the Jeffersonian principles of free markets, limited government, federalism, and individual liberty. The mission will be accomplished through a non-partisan, public and private partnership between ALEC's legislative and private sector members in the specific subject areas assigned to the Task Force by the Board of Directors.

### ***II. TASK FORCE RESPONSIBILITIES***

- A. Task Forces have the primary responsibility for identifying critical issues and developing ALEC's official policy statements and model legislation appropriate to the **specific subject areas** of the Task Force.
- B. Task Forces serve as forums for an exchange of ideas and sharing of experiences between ALEC's state legislator and private sector members.
- C. Task Forces are responsible for developing and sponsoring the following educational activities appropriate to the specific subject area of the Task Force:
  - publications that express policy positions, including, but not limited to State Factors and Action Alerts;
  - educational communication and correspondence campaigns;
  - issue specific briefings, press conferences and press campaigns;
  - witness testimony and the activities of policy response teams;
  - workshops at ALEC's conferences; and
  - specific focus events.
- D. The Executive Director is to develop an **annual budget**, which shall include expenses associated with Task Force meetings and educational activities. A funding mechanism to finance all meetings and educational activities proposed by Task Forces must be available before they can be undertaken.



### **III. GENERAL PROCEDURES**

- A. Requests from ALEC members for policy statements, model legislation and educational activities shall be directed by the Executive Director to the appropriate Task Force, or the Board of Directors if the issue does not fall within the **jurisdiction** of any Task Force. The appropriate Public and Private Sector Task Force Co-Chairs determine the agenda for each Task Force meeting, and the meetings will be called and conducted in accordance with these Operating Procedures.

The Director of Policy with the consent of the Executive Director assigns a model bill or resolution to the most appropriate Task Force based on Task Force content and prior jurisdictional history 35 days before a Task Force Meeting. All Task Force Co-Chairs will be provided an email or fax summary of all **model bills and resolutions 35 days before** the Task Force meeting

If both the Co-Chairs of a Task Force are in agreement that they should have jurisdiction on model legislation or a resolution, the legislation or resolution will be considered by the Task Force. If the other Task Force Co-Chairs believe they should have jurisdiction or if the author of the model bill or resolution does not agree on the jurisdictional assignment of the bill, they will have **10 days after the 35-day mailer deadline** to submit in writing or by electronic appeal to the Director of Policy their intent to challenge the jurisdiction assignment. The Director of Policy will notify the Executive Director who will in turn notify the National Chair and the Private Enterprise Board Chair. The National Chair and the Private Enterprise Board Chair will in turn refer the matter in question to the Board of Directors Task Force Board Committee. The Director of Policy will establish a conference call for the Task Force Board Committee co- chairs, the author, the affected Task Force Co-Chairs and the Director of Policy at a time convenient for all participants.

**The Task Force Board Committee Co-Chairs** shall listen to the jurisdictional dispute by phone or in person within 10 days of the request. If both Task Force Board Committee Co-Chairs are in agreement that the Director of Policy made an incorrect jurisdictional referral, only then will the model bill or resolution be reassigned to a committee as they specify once agreed upon by the **National Chair and the Private Enterprise Board Chair**. The bill or model resolution is still eligible to be heard in whatever Task Force it is deemed to be assigned to as if submitted to the correct Task Force for the 35-





day mailer. The National Chair and the Private Enterprise Board Chair decision is final on this model bill or resolution.

**Joint referral of model legislation and/or resolutions** are allowed if all the affected Task Force Co-Chairs agree. All model legislation and resolutions that have been referred to, more than one Task Force must pass the identical language in both Task Forces within two consecutive Task Force meetings. It is at the Task Force Co-Chairs discretion how they will handle the hearings of the model legislation or resolution. Both sets of co-chairs have the ability to call a working group, subcommittee, or simply meet consecutively or concurrently if necessary.

If the Task Force co-chairs both agree to waive jurisdiction, they may do so as long as another Task Force still has jurisdiction.

The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.

- B. **The National Chair and the Private Sector Board Chair** will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.
- C. **The Board of Directors** shall have ultimate authority over Task Force procedures and actions including the authority to create, to merge or to disband Task Forces and to review Task Force actions in accordance with these Operating Procedures. Nothing in these Operating Procedures prohibits the Board of Directors from developing ALEC policy; however, such a practice



should be utilized only in exceptional circumstances. Before the policy is adopted by the Board of Directors, it should be sent to the Public and Private Sector Task Force Co-Chairs under whose jurisdiction the matter falls for review and comment back to the Board of Directors.

- D. The **operating cycle of a Task Force** is two years. A new operating cycle begins on January 1 of each odd numbered year and ends on December 31 of the following even numbered year. Task Force activities shall be planned and budgeted on an annual basis within each two-year operating cycle.
- E. If a Task Force is **unable to develop an operating budget**, the Board of Directors will determine whether to continue the operations of the Task Force. This determination will be made according to: (1) the level of membership on the Task Force, and (2) the need for continued services developed by the Task Force for ALEC.
- F. **The Board of Directors** shall have the authority to allocate limited general support funds to finance the annual operating budget of Task Forces that meet the requirements prescribed in Section III (E). The Executive Director shall determine, and report to the Board of Directors, the amount of general support funds available to underwrite such Task Forces.

#### ***IV. MEMBERSHIP AND MEMBER RESPONSIBILITIES***

- A. The membership of a Task Force consists of legislators who are members in good standing of ALEC and are duly appointed to the Task Force, in accordance with Section VI (A) and private sector organizations that are full members of ALEC, contribute to the assessment for the Task Force operating budget, and are duly appointed to the Task Force, in accordance with Section VI (B). Private sector organizations that were full members of ALEC and contributed the assessment for the Task Force's operating budget in the previous year, can be appointed to the Task Force for the current year, conditional upon renewal of full ALEC membership and receipt of the current year's assessment for the Task Force operating budget prior to March 31<sup>st</sup>, unless an alternative date has been approved by the Executive Director.
- B. Each Task Force shall have least two **Co-Chairs**; a Public Sector Task Force Co-Chair and a Private Sector Task Force Co-Chair. The Public Sector Task Force Co-Chair must be a member of the Task Force and appointed in



accordance with Section VI (A). The Private Sector Co-Chair must represent a private sector member of the Task Force and be appointed in accordance with Section VI(B). The Co-Chairs shall be responsible for:

- (1) calling the Task Force and the Executive Committee meetings to order, setting the agenda and co-chairing such meetings;
- (2) appointing and removing legislators and private sector members to and from the Task Force Executive Committee and subcommittees;
- (3) creating subcommittees, and determining each subcommittee's mission, membership limit, voting rules, deadlines, and term of service; and
- (4) selecting Task Force members to provide support for and against Task Force policies during formal Board reviews.

- C. Each Task Force shall have an **Executive Committee** appointed by the Public and Private Sector Task Force Co-Chairs that is appropriate in number to carry out the work product and strategic plan of ALEC and the Task Force. The Executive Committee shall consist of the Public Sector Task Force Co-chair, the Private Sector Task Force Co-Chair, the subcommittee co-chairs, and the remainder will be an equal number of legislative and private sector Task Force members. The Executive Committee will be responsible for determining the operating budget and proposing plans, programs and budgets for the succeeding year in accordance with (Section V (B)); determining if a proposed educational activity conforms to a previously approved model bill, resolution or policy statement in accordance with (Section IX (F)); and determining if an emergency situation exists that justifies waiving or reducing appropriate time limits in accordance with (Section VIII (H)).
- D. Each Task Force may have any number of **subcommittees**, consisting of Task Force members and advisors to focus on specific areas and issues and make policy recommendations to the Task Force. The Task Force Co-chairs, shall create subcommittees and determine each subcommittee's mission, membership limit, voting rules, deadlines, and term of service. Any model bill, resolution or policy statement approved by a subcommittee must be approved by the Task Force before it can be considered official ALEC policy.
- E. Each Task Force may have advisors, appointed in accordance with Section VI (G). **Advisors** shall assist the members and staff of the Task Force. They shall be identified as advisors on official Task Force rosters, included in all official



Task Force mailings and invited to all Task Force meetings. Advisors may also have their expenses paid at Task Force meetings covered by the Task Force operating budget with the approval of the Task Force Co-Chairs. An advisor cannot be designated as the primary contact of a private sector Task Force member, cannot be designated to represent a private sector Task Force member at a Task Force, Executive Committee, or subcommittee meeting, and cannot offer or vote on any motion at a Task Force, Executive Committee, or subcommittee meeting.

***V. Task Force Budgets***

- A. Each Task Force shall develop and operate a yearly budget to fund meetings.
- B. The **operating budget** shall be used primarily to cover expenses for Task Force meetings, unless specific funds within the budget are authorized for other use by the Task Force. The operating budget shall be assessed equally among the private sector members of the Task Force. The Executive Director, in consultation with the Task Force Co-Chairs shall determine which costs associated with each meeting will be reimbursed from the operating budget. Any funds remaining in a Task Force's operating budget at the end of a year are transferred to ALEC's general membership account.
- C. The operating budget shall not be used to cover Task Force meeting expenses associated with **alternate task force members'** participation, unless they are appointed by their State Chair to attend the Spring Task Force Summit with the purpose to serve in place of a Task Force Member who is unable to attend. Task Force meeting expenses of alternate task force members shall be covered by their state's scholarship account.
- D. The **programming budget** shall be used to cover costs associated with educational activities. Contributions to the programming budget are separate, and in addition to operating budget contributions and annual general support/membership contributions to ALEC. The Executive Director shall determine the contribution required for each educational activity.

***VI. PROCESS FOR SELECTING TASK FORCE MEMBERS, CHAIRS, COMMITTEES AND ADVISORS***



- A. Prior to February 1 of each odd-numbered year, the current and immediate past National chairman will jointly select and appoint in writing **three legislative members and three alternates to the Task Force** who will serve for the current operating cycle, after receiving nominations from ALEC's Public and Private State Chairs, the Executive Director and the ALEC Public and Private Sector members of the Board. At any time during the year, the National Chairman may appoint in writing new legislator members to each Task Force, except that no more than three legislators from each state may serve as members of any Task Force, no legislator may serve on more than one Task Force and the **appointment cannot be made earlier than thirty days** after the new member has been nominated. In an effort to ensure the nonpartisan nature of each Task Force, it is recommended that no more than two legislators of any one political party from the same state be appointed to serve as members of any Task Force. A preference will be given to those ALEC legislator members who serve on or chair the respective Committee in their state legislature. A preference will be given to legislators who sponsor ALEC Task Force model legislation in the state legislature.
- B. Prior to January 10 of each odd-numbered year, the current and immediate past National Chairman will jointly select and appoint in writing **the Task Force Chair** who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Chair and may be placed in rank order prior to transmittal to the Executive Director no later than December 1 of each even-numbered year. No more than five names may be submitted in nomination by the outgoing Task Force chair. The current and immediate past National Chairmen will jointly make the final selection, but should give strong weight to the recommendations of the outgoing Task Force Chair. In an effort to empower as many ALEC leaders as possible, State Chairs and members of the Board of Directors will not be selected as Task Force Chairs. Task Force Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past National Chairmen may reappoint a Task Force Chair to a second operating cycle term.
- C. Prior to February 1 of each odd numbered year, the Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members of the **Task Force Executive Committee**, who will serve for the current operating cycle. The Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members and advisors to any subcommittee.



- D. Prior to February 1 of each year, the Private Enterprise Board Chair and the immediate past Private Enterprise Board Chair will select and appoint in writing the private sector members to the Task Force who will serve for the current year. The appointment letter shall be mailed to the individual designated as the primary contact for the private sector entity. At any time during the year, the Chair of the Private Enterprise Board may appoint in writing **new private sector members** to each Task Force, but no earlier than thirty days after the new member has qualified for full membership in ALEC and contributed the assessment for the appropriate Task Force's operating budget.
- E. Prior to January 10 of each odd-numbered year, the Chair of the Private Enterprise Board and the immediate past Private Enterprise Board Chair will select and appoint in writing the **Task Force Private Sector Co-Chair** who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Private Sector Chair and may be placed in rank order prior to transmittal to the Chair of the Private Enterprise Board. The Chair and the immediate past Chair of the Private Enterprise Board will make the final selection, but should give strong weight to the recommendations of the outgoing Private Sector Task Force Co-Chair. In an effort to empower as many ALEC private sector members as possible, Private Enterprise State Chairs and members of the Private Enterprise Board will not be selected as Private Sector Task Force Co-Chairs. Private Sector Task Force Co-Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past Chair of the Private Enterprise Board may reappoint a Task Force Private Sector Chair to a second operating cycle term.
- F. Prior to February 1 of each odd-numbered year, the Task Force Private Sector Co-Chair will select and appoint in writing the **private sector members of the Task Force Executive Committee**, who will serve for the current operating cycle. The Task Force Private Sector Co-Chair shall select and appoint in writing the private sector members of any subcommittees.
- G. The Public and Private Sector Task Force Co-Chairs, may jointly appoint subject matter experts to serve as **advisors** to the Task Force. The National Chair and the Private Enterprise Board Chair may also jointly recommend to the Task Force Co-Chairs subject matter experts to serve as advisors to the Task Force.



## ***VII. REMOVAL AND VACANCIES***

- A. The National Chair may remove any Public Sector **Task Force Co-Chair** from his position and any legislative member from a Task Force with or without cause. Such action will not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive Task Force meetings.
- B. The Public Sector Task Force Co-Chair may remove any legislative member of an **Executive Committee or subcommittee** from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive meetings.
- C. The Chairman of the Private Enterprise Board may remove **any Private Sector Task Force Co-Chair** from his position and any private sector member from a Task Force with cause. Such action shall not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues. .
- D. The Private Sector Task Force Co-Chair may remove any **private sector member of an Executive Committee or subcommittee** from his position with cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues.
- E. The Public and Private Sector Task Force Co-Chairs may remove an **advisor** from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such advisor whose removal is proposed.
- F. Any member or advisor may **resign** from his position as Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, public or private sector Task Force member, Task Force advisor, Executive Committee member or subcommittee member at any time by writing a letter to that effect to the Public Sector and Private Sector Task Force Co-Chairs. The letter should specify the





effective date of the resignation, and if none is specified, the effective date shall be the date on which the letter is received by the Public and Private Task Force Co-Chairs.

- G. All **vacancies** for Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, Executive Committee member and subcommittee member shall be filled in the same manner in which selections are made under Section VI. All vacancies to these positions must be filled within thirty days of the effective date of the vacancy.

#### ***VIII. MEETINGS***

- A. **Task Force meetings** shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs. Task Force meetings cannot be held any earlier than thirty-five days after being called, unless an emergency situation has been declared pursuant to Section VIII (H), in which case Task Force meetings cannot be held any earlier than ten days after being called. It is recommended that, at least once a year, the Task Forces convene in a common location for a joint Task Force Summit. **Executive Committee meetings** shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs and cannot be held any earlier than three days after being called, unless the Executive Committee waives this requirement by unanimous consent.
- B. **At least forty-five days** prior to a task force meeting any model bill, resolution or policy must be submitted to ALEC staff that will be voted on at the meeting. At least thirty-five days prior to a Task Force meeting, ALEC staff shall distribute copies of any model bill, resolution or policy statement that will be voted on at that meeting. This requirement does not prohibit modification or **amendment** of a model bill, resolution or policy statement at the meeting. This requirement may be waived if an emergency situation has been declared pursuant to Section VIII(H).
- C. **All Task Force meetings are open** to registered attendees and invited guests of ALEC meetings and conferences. Only regular Task Force Members may introduce any resolution, policy statement or model bill. Only Task Force members will be allowed to participate in the Task Force meeting discussions





and be seated at the table during Task Force meetings, unless otherwise permitted by the Public and Private Sector Task Force Co-Chairs.

- D. ALEC private sector member organizations may only be represented at Task Force and Executive Committee meetings by the individual addressed in the **appointment letter** sent pursuant to Section VI (D) or a designee of the private sector member. If someone other than the individual addressed in the appointment letter is designated to represent the private sector member, the designation must be submitted in writing to the Public and Private Sector Task Force Co-Chairs before the meeting, and the individual cannot represent any other private sector member at the meeting.
- E. All Task Force and Executive Committee meetings shall be conducted under the guidelines of **Roberts Rules of Order**, except as otherwise provided in these Operating Procedures. A copy of the Task Force Operating Procedures shall be included in the briefing packages sent to the Task Force members prior to each meeting.
- F. A majority vote of legislative members present and voting and a majority vote of the private sector members present and voting, polled separately, are required to approve any motion offered at a Task Force or Executive Committee meeting. A **vote** on a motion to reconsider would be only with the sector that made the motion. Members have the right, in a voice vote, to abstain and to vote present by roll-call vote. In all votes a member can change their vote up until the time that the result of the vote is announced. Only duly appointed members or their designee as stated in Section VIII (D) that are present at the meeting may vote on each motion. **No proxy, absentee or advance voting is allowed.**
- G. The Public Sector Task Force Co-Chair and the Private Sector Task Force Co-Chair, with the concurrence of a majority of the Executive Committee, polled in accordance with Section VIII (F), may schedule a **Task Force vote by mail or any form of electronic communication** on any action pertaining to policy statements, model legislation or educational activity. The deadline for the receipt of votes can be no earlier than thirty-five days after notification of the vote is mailed or notified by any form of electronic communication, unless an emergency situation is declared pursuant to Section VIII (H), in which case the deadline can be no earlier than ten days after notification is mailed or notified by any form of electronic communication. Such votes are exempt from all rules in Section VIII, except: (1) the requirement that copies of model legislation and



policy statements be mailed or notified by any form of electronic communication with the notification of the vote and (2) the requirement that a majority of legislative members voting and a majority of the private sector members voting, polled separately, is required to approve any action by a Task Force.

- H. For purposes of Sections VIII(A), (B) and (G), an **emergency situation** can be declared by:
  - (1) Unanimous vote of all members of the Task Force Executive Committee present at an Executive Committee meeting prior to the meeting at which the Task Force votes on the model bill, resolution or policy statement; or
  - (2) At least three-fourth majority vote of the legislative and private sector Task Force members (voting in accordance with Section VIII (F)) present at the meeting at which the members vote on the model bill, resolution or policy statement.
- I. Ten Task Force members shall **constitute a quorum** for a Task Force meeting. One-half of the legislative and one-half of the private sector members of an Executive Committee shall constitute a quorum for an Executive Committee meeting.

#### IX. ***REVIEW AND ADOPTION PROCEDURES***

- A. All Task Force policy statements, model bills or resolutions shall become **ALEC policy** either: (1) upon adoption by the Task Force and affirmation by the Board of Directors or (2) thirty days after adoption by the Task Force if no member of the Board of Directors requests, within those thirty days, **a formal review by the Board of Directors**. General information about the adoption of a policy position may be announced upon adoption by the Task Force.
- B. The Executive Director shall notify the Board of Directors of the approval by a Task Force of any policy statement, model bill or resolution within ten days of such approval. Members of the Board of Directors shall have thirty days from the date of Task Force approval to review any new policy statement, model bill or resolution prior to adoption as official ALEC policy. Within those thirty days, any member of the Board of Directors may request that the policy be



**formally reviewed** by the Board of Directors before the policy is adopted as official ALEC policy.

- C. A member of the Board of Directors may request a formal review by the Board of Directors. The **request must be in writing** and must state the cause for such action and a copy of the letter requesting the review shall be sent by the National Chairman to the appropriate Task Force Chair. The National Chairman shall schedule a formal review by the Board of Directors no later than the next scheduled Board of Directors meeting.
- D. The review process will **consist of key members of the Task Force**, appointed by the Task Force Chair, providing the support for and opposition to the Task Force position. Position papers may be faxed or otherwise quickly transmitted to the members of the Board of Directors. The following is the review and adoption procedures:
  - **Notification of Committee:** Staff will notify Task Force Chairs and the entire task force when the Board requests to review one of the Task Forces' model bills or resolutions.
  - **Staff Analysis:** Will be prepared in a neutral fashion. The analyses will include:
    - History of Task Force action
    - Previous ALEC official action/resolutions
    - Issue before the board
    - Proponents arguments
    - Opponents arguments
  - **Standardized Review Format:** To ensure fairness, a set procedure will be used as the format to ensure the model bill/resolution has a fair hearing before the Board.
    - Task Force Chair(s) will be invited to attend the Board Review
    - Task Force Chair(s) will decide who will present in support and in opposition for the model bill/resolution before the Board.
    - Twenty minutes that is equally divided will be given for both sides to present before the Board.
    - It is suggested that the Board not take more than twenty minutes to ask questions of the presenters.
    - Presenters will then be excused and the Board will have a suggested twenty more minutes for discussion and vote.



- All votes will be recorded for the official record.
  - **Notification of Committee:** The Director of Policy will notify presenters immediately after the vote. If the Board votes to send the model bill/resolution back to the task force, the Board will instruct the Director of Policy or another board member what to communicate.
- E.     **The Board of Directors can:**
- (1)     Vote to affirm the policy or affirm the policy by taking no action,  
          or
  - (2)     Vote to disapprove the policy, or
  - (3)     Vote to return the policy to the Task Force for further consideration  
          providing reasons therefore.
- F.     Task Forces may only undertake educational activities that are based on a policy statement, model bill or resolution that has been adopted as official ALEC policy, unless the Task Force votes to undertake the educational activity, in which case the educational activity is subjected to the same review process outlined in this Section. It is the responsibility of the Task Force Executive Committee to affirm by three-fourths majority vote conducted in accordance with Section VIII that an educational activity conforms to a policy statement, model bill or resolution.

## **X.     EXCEPTIONS TO THE TASK FORCE OPERATING PROCEDURES.**

Exceptions to these Task Force Operating Procedures must be approved by the Board of Directors.